

VIA EFS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application of:
Osamu Nozaki et al.

Conf. No.: 5372 : Group Art Unit: 1657
Appln. No.: 10/649,471 : Examiner: David M. Naff
Filing Date: August 27, 2003 : Attorney Docket No.: 9948-6US
Title: METHOD AND DEVICE FOR DETERMINATION OF HYDROGEN PEROXIDE IN
BODY FLUID

REQUEST FOR RECONSIDERATION AFTER FINAL

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The following Remarks are submitted in response to the Examiner's Office Action dated July 3, 2007 (Paper No. 20070626). This response is being timely filed by October 3, 2007.

REMARKS

Claims 3 and 11 are presently pending in the application.

Applicants acknowledge and appreciate the Examiner's indication in the present Office Action that the presently claimed invention is patentable over the prior art of record. However, the Examiner has again rejected claims 3 and 11 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement, arguing that the specification does not describe the apparatus structure in sufficient details. Specifically, the Examiner contends that no structural details are provided for a chromatography pump, autosampler, chemiluminometer, flow cell, horseradish peroxidase immobilized stationary phase packed in the flow cell, or photomultiplier in contiguity with a surface of the flow cell.

In response to Applicants' previous arguments that the apparatus components required are commonly used in chemiluminescence devices and the previously submitted drawings from